

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN**

In re:

DAVID W. CHARRON

Debtor.

GLENN S. MORRIS and THE GLENN S.
MORRIS TRUST,

Plaintiffs,

v

DAVID W. CHARRON,

Defendant.

Case No. 14-07970

Chapter 7

Honorable James W. Boyd

Adversary Proceeding No. 15-80086-JWB

**DEFENDANT/DEBTOR DAVID W. CHARRON'S OBJECTION TO PLAINTIFFS'
CROSS-MOTION FOR SUMMARY JUDGMENT AND REQUEST FOR A HEARING**

David W. Charron (the “Defendant”), by and through his counsel, Dunn, Schouten & Snoap, P.C., hereby objects to Plaintiffs Glenn S. Morris and The Glenn S. Morris Trust (collectively the “Plaintiffs”) Cross-Motion for Summary Judgment, pursuant to Federal Rule of Civil Procedure 56 and Local Civil Rule 7.2(c) and ask the Court to deny the same, for the reason it is unwarranted by relevant law and the facts of this case. Defendant requests the Court to schedule a hearing on the motion and to set deadlines for Defendant’s responsive brief in a scheduling order. No action on the Plaintiffs’ cross-motion will be necessary if the Court grants Defendant’s pending motion for summary judgment.

The Plaintiffs' cross-motion should be denied. Defendant agrees there are no genuine issues of material fact as to whether Plaintiffs' claim is dischargeable. The undisputed facts clearly show Plaintiffs' claim is not based on a debt for any "injury" by Defendant to Plaintiffs or to the "property" of Plaintiffs. The decisions of the Kent County Circuit Court and Michigan Court of Appeals make that clear. There is no issue that the Award upon which Plaintiffs base this adversary proceeding does not satisfy the requirements for non-dischargeability of a claim arising under 11 USC 523(a)(6).

WHEREFORE, Defendant requests the Court to:

1. Grant Defendant's pending motion for summary judgment and alleviate the need for any further action on Plaintiffs' Cross Motion for Summary Judgment;
2. Schedule a hearing for Plaintiffs' Cross Motion for Summary Judgment; and allow Defendant to file a brief in opposition to the same pursuant to a scheduling order issued by the Court; and
3. Deny the Plaintiffs' Cross Motion for Summary Judgment.

Respectfully submitted,

Dated: June 11, 2015

DUNN, SCHOUTEN & SNOAP PC
Attorneys Defendant David W. Charron

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